

_____ **First Published in the Derby Reporter on May 23, 2003**

RESOLUTION NO. 03-240

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF **MAIN 19, SOUTHWEST INTERCEPTOR SEWER, 468-83186**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **MAIN 19, SOUTHWEST INTERCEPTOR SEWER, 468-83186**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Main 19, Southwest Interceptor Sewer, 468-83186**.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Five Million Dollars (\$5,000,000)** exclusive of the cost of interest on borrowed money, with **75** percent payable by Sewer Utility and **25** percent payable by Special Assessments. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **April 1, 2003**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

OAK RIDGE ADDITION

Lot 1 except beginning at the SE corner thereof; thence N 9.71' SW 14.31' E 10.46' to the beginning & that part Reserve C beginning at the NW corner thence E 14.5' S 34.98' SW 68.79' SW 11.03' N 111.02' to the beginning

Lots 2-19 Inclusive, Block 1

OAK RIDGE 2ND ADDITION

Lot 1, Block 1

Lots 15-32 Inclusive, Block 1

Lots 1-13 Inclusive, Block 2

Lots 1-17 Inclusive, Block 3

Lots 1-30 Inclusive, Block 4

OAK RIDGE 3RD ADDITION

Lots 1-21 Inclusive, Block 1

FOREST LAKES WEST ADDITION

Lots 1-59 Inclusive, Block 1

Lots 1-13 Inclusive, Block 2

Lots 1-28 Inclusive, Block 3

Lots 1-37 Inclusive, Block 4

Lots 1-23 Inclusive, Block 5

NORTHWEST SUBSTATION ADDITION

Lot 1, Block A

RIDGE PORT ADDITION

Lot 1, Block 1

Lots 1-72 Inclusive, Block 4

Lots 1-25 Inclusive, Block 5

Lots 1-51 Inclusive, Block 6

RIDGE PORT 2ND

Lot 7, Block A

RIDGE PORT 4TH ADDITION

Lots 1-9 Inclusive, Block A

Lots 1-14 Inclusive, Block B

RIDGE PORT NORTH ADDITION

Lots 2-6, Inclusive

RIDGE PORT NORTH 2ND ADDITION

Lot 1 except the N 596.21' & except the E 1166.63' thereof & except beginning 427.72' E of the SW corner of Lot 1; thence N 7.15' NELY 86.38' E 173.95' S 276.81' W 68.38' to curve NWLY along curve 281.96' N 49.22 to the beginning.

That part of Lot 1 beginning 377.34' E & 641.10' N of the NE corner of Lot 5 Ridge Port North Addition; thence N 543.26' W 81.16' to the SE corner of Lot 2 said Addition N 596.21' thence E 1247.79' S 1139.47' W 1166.63' to the beginning except beginning a the most NWLY corner of Lot 1 E 718' S 1139.44 ' W 645.58' N 543.26' W 81.16' N to the beginning

RIDGE PORT NORTH 3RD ADDITION

Lots 49-62 Inclusive, Block D

Lots 1-39 Inclusive, Block F

Lot 1, Block G

RIDGE PORT NORTH 4TH ADDITION

Lots 1-21 Inclusive, Block A

Lots 1-43 Inclusive, Block B

Lots 1-34 Inclusive, Block C

RIDGE PORT NORTH 5TH ADDITION

Lots 1-31 Inclusive, Block A

Lots 1-23 Inclusive, Block B

Lots 1-10 Inclusive, Block C

RIDGE PORT COMMERCIAL PARK

Lots 1-13 Inclusive, Block A

Lots 1-3 Inclusive, Block B

SUITER RANCH ADDITION

Lot 1, Block 1

HOSKINSON 2ND ADDITION

Lots 1-9 Inclusive, Block 1

NORTH RIDGE PLAZA ADDITION

Lots 1-11 Inclusive, Block A

UNPLATTED TRACT IN SECTION 28, TWP 26S, R1W

The S ½ of the SE ¼ except beginning 913.53' N of the SE corner thereof thence N 403.43' to the NE corner of the S ½ W 1312.47' S 393.65' ELY 1312.52' to the beginning & except Star West Addition & except Northridge Plaza Addition & except for Road (D-1160-UP)

UNPLATTED TRACTS IN SECTION 33, TWP 26S, R1W

The S 545.86' of the W 399' of the SE $\frac{1}{4}$ **(D 1071-UP)**
Beginning at the NW corner of the SW $\frac{1}{4}$; thence E 62 Rods S 42 Rods W 62 Rods N 42 Rods to the beginning except the S 25 Rods thereof & except the W 50' for Road **(D 1072-UP)**
Beginning 17 Rods S of the NW corner of the SW $\frac{1}{4}$; thence E 62 Rods S 17 Rods W 62 Rods N 17 Rods to the beginning except the W 50' for Road **(D 1073-UP)**
Beginning 34 Rods S of the NW corner of the SW $\frac{1}{4}$; thence E 62 Rods S 8 Rods W 62 Rods N 8 Rods to the beginning except the W 50' for Road **(D 1074-UP)**
The N 18 Rods of the S 118 Rods of the W 62 Rods of the SW $\frac{1}{4}$ except beginning 703' S of the NW corner of the SW $\frac{1}{4}$; thence E 390' S 100' W 156' S 104.5' W to the W line of the SW $\frac{1}{4}$ N to the beginning except the W 50' for Road **(D 1075-UP)**
Beginning 74 Rods N of the SW corner of the SW $\frac{1}{4}$; thence E 62 Rods N 26 Rods W 62 Rods S 26 Rods to the beginning **(D 1076-UP)**
Beginning 57 Rods N of the SW corner of the SW $\frac{1}{4}$; thence E 62 Rods N 61 Rods W 62 Rods S 61 Rods to the beginning except the N 44 Rods thereof & except the W 50' for Road **(D 1077-UP)**
Beginning 803' S of the NW corner of the SW $\frac{1}{4}$; thence E 234' S 104.50' W 234' N 104.50' to the beginning except the W 50' for Road **(D-1162-UP)**
Beginning 803' S of the NW corner of the SW $\frac{1}{4}$; thence E 340' N 100' W 340' S 100' to the beginning except the W 50' for Road. **(D-1163-UP)**
Beginning 703' S & 340' E of the NW corner of the SW $\frac{1}{4}$; thence E 50' S 100' W 50' N 100' to the beginning **(D-1164-UP)**
The S 380.14' of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ & the S 380.14' M-L of the NE $\frac{1}{4}$ lying W of the RR ROW in the NW $\frac{1}{4}$ & NE $\frac{1}{4}$ **(D-1412-UP)**
That part of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ beginning 1129.78'S of the NW corner; thence E 300' SE 90.91' E 149.67' to curve SELY along curve 74.17' to curve ELY along curve 100.55' S 126.44' E 330.4' S 73.19' SE 127' E 232.07' to the E line of the W $\frac{1}{2}$; thence S 1108.01' to the SE corner of the W $\frac{1}{2}$ W 1324.71' to the SW corner N 1509.71' to the beginning except the W 50' for Road. **(D-1413-UP)**
Beginning 703' S & 340' E of the NW corner of the SW $\frac{1}{4}$; thence E 50' S 100' W 50' N 100' to the beginning **(D-1164-UP)**

UNPLATTED TRACTS IN SECTION 34, TWP 26S, R1W

Beginning 584' E of the NW corner of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$; thence E 378' S 915.126' W 378' N to the beginning **(D 1078-UP)**
That part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ lying S & W of ROW **(D 1079-UP)**
Beginning at the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence N 300' W 871' S 300' E 871' to the beginning **(D-1330-UP)**
The W 190.15' of the E 1145' of the N 125' of the S 536.71' of the NE $\frac{1}{4}$ except the W 30' for Road. **(D-1165-UP)**
Beginning 808.71' N & 207.425' W of the SE corner of the NE $\frac{1}{4}$; thence N 105' W 207.425' S 105' E 207.425' to the beginning **(D-1176-UP)**
Beginning 808.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 105' W 207.42' S 105' E 207.42' to the beginning **(D-1177-UP)**

Beginning at the NW corner of the E $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence S 224.40' E 382.8' N 224.40' W 382.8' to the beginning **(D-1178-UP)**

The N 224.4' of the E $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ except the W 382.8' **(D-1179-UP)**

The S 194.94' of the NE $\frac{1}{4}$ except the E 1195' & the N 13.33' of the SE $\frac{1}{4}$ except the E 1195' **(D-1180-UP)**

Beginning 224.4' S of the NE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence W 1220' S 303.6' E 75' N 3.39' E 285.31' N 120' E 414.84' S 120' E 30' N 120' E 414.85' N 181.04' to the beginning except the E 50' for Street. **(D-1181-UP)**

Commencing 15' N & 604.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 646.71' for the beginning thence N 132' W 175' S 132' E to the beginning except the W 15' for Road **(D-1332-UP)**

Beginning 15' N & 604.85' W & 521.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 125' W 175' S 125' E to the beginning except the W 15' for Road **(D-1333-UP)**

Beginning 15' N & 954.85' W & 521.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 125' W 190.15' S 125' E to the beginning except the W 30' for Road **(D-1166-UP)**

Beginning 15' N & 604.85' W & 396.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 125' W 175' S 125' E to the beginning except the W 15' for Road. **(D-1334-UP)**

The N 140' of a Tract beginning 30' N & 604.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 381.71' W 160' S 381.71' E to the beginning **(D-1335-UP)**

Beginning 15' N & 779.85' W & 271.71' N of the SE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence N 125' W 175' S 125' E to the beginning **(D-1167-UP)**

Beginning 15' N & 779.85' W & 396.71' N of the SE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence N 125' W 175' S 125' E to the beginning except the E 15' **(D-1168-UP)**

Beginning 15' N & 429.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 256.71' W 175' S 256.71' E to the beginning except the E 15' for Road & except the S 131.71' **(D-1399-UP)**

Beginning 15' N & 429.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 131.71' W 175' S 131.71' E to the beginning except the E & S 15' for Roads. **(D-1365-UP)**

The S $\frac{1}{2}$ of a Tract beginning 286.71' N & 429.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 250' W 175' S 250' E 175' to the beginning except the E 15' for Road **(D-1366-UP)**

The N $\frac{1}{2}$ of a Tract beginning 286.71' N & 429.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 250' W 175' S 250' E 175' to the beginning except the E 15' for Road Easement **(D-1367-UP)**

The N $\frac{1}{2}$ of a Tract beginning 15' N & 429.85' W & 521.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 257' W 175' S 257' E 175' to the beginning except the E 15' for Road **(D-1336-UP)**

The S $\frac{1}{2}$ of a Tract beginning 15' N & 429.85' W & 521.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 257' W 175' S 257' E 175' to the beginning except the E 15' for Road **(D-1368-UP)**

Beginning 779.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 271.71' W 175' S 271.71' E 175' to the beginning except the E 15' & S 30' for Roads. **(D-1337-UP)**

Beginning 15' N & 954.85' W & 271.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 125' W 190.15' S 125' E 190.15' to the beginning except the W 30' Road Easement **(D-1169-UP)**

Commencing 15' N & 954.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 646.71' for the beginning thence N 125' W 175' S 125' thence E to the beginning except Road **(D-1170-UP)**

Beginning 15' N & 954.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 131.71' W 175.15' S 131.71' E to the beginning except the S 15' & W 30' for Road. **(D-1171-UP)**

Commencing 15' N & 954.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 131.71' for the point of beginning N 125' W 175.15' S 125' E to the beginning except the W 30' for Road **(D-1172-UP)**

Commencing 15' N & 779.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 521.71' for the point of beginning N 257' W 175' S 257' E 175 to the beginning except the E 15' for Road **(D-1173-UP)**

Beginning 30' N & 604.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 381.71' W 160' S 381.71' E 160' to the beginning except the N 140' thereof **(D-1369-UP)**

The N 105' of the S 240' of the E 414.85' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ except the E 214.85' **(D-1394-UP)**

Beginning 793.71' N & 207.425' W of the SE corner of the NE $\frac{1}{4}$; thence N 15' W 207.425' S 15' E 207.425' to the beginning **(D-1182-UP)**

Beginning 793.71' N of the SE corner of the NE $\frac{1}{4}$; thence N 15' W 207.425' S 15' E 207.425' to the beginning except for Road on E **(D-1331-UP)**

Beginning 135' N of the SE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence N 105' W 214.85' S 105' E 214.85' to the beginning except the E 30' Road Easement **(D-1395-UP)**

The N 105' of the S 450' of the E 214.85' of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ **(D-1396-UP)**

Beginning 240' N & 214.85' W of the SE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence N 105' W 215' S 105' E to the beginning except the W 15' for Road. **(D-1397-UP)**

The N 105' of the S 555' of the E 414.80' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ except the W 207.42' thereof **(D-1370-UP)**

The W 207.42' of the N 105' of the S 555' of the E 414.85' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$. **(D-1371-UP)**

Beginning 450' N & 214.85' W of the SE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence W 200' S 105' E 200' N 105 to the beginning **(D-1398-UP)**

The N 105' of the S 345' of the E 214.85' of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ **(D-1415-UP)**

The E 214.85' of the N 105' of the S 135' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ **(D-1372-UP)**

The N 208.71' of the S 763.71' of the E 414.85' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ except part Platted As Suiter Ranch Addition **(D-1373-UP)**

The W 200' of the E 414.85' of the N 105' of the S 135' of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ **(D-1374-UP)**

Beginning 793.71' N & 444.85' W of the SE corner of the NE $\frac{1}{4}$; thence N 120' W 207.42' S 120' E 207.42' to the beginning **(D-1174-UP)**

Beginning 793.71' N & 652.27' W of the SE corner of the NE $\frac{1}{4}$; thence N 120' W 207.42' S 120' E 207.42' to the beginning **(D-1175-UP)**

The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ except the E 1145' & except the S 558.83' M-L & except the N 604.55' thereof **(D-1183-UP)**

Beginning 13.33' S of the NW corner of the SE $\frac{1}{4}$; thence E 1471.29' S 295.82' W 1473.74' N 295.82' to the beginning **(D-1202-UP)**

Beginning 309.15' S of the NW corner of the SE $\frac{1}{4}$; thence E 1473.74' S 147.8' W 1474.96' N 147.8' to the beginning **(D-1203-UP)**

Beginning 456.95' S of the NW corner of the SE $\frac{1}{4}$; thence E 1474.96' S 147.6' W 1476.18' N 147.6' to the beginning **(D-1204-UP)**

Beginning 762.55' S of the NW corner of the SE $\frac{1}{4}$; thence E 1477.5' M-L to a point 1145' W of the E line of the SE $\frac{1}{4}$ S 146.29' to a point 411.29' N of the S line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ W 1478.71' to the W line N 147.54' to the beginning **(D-1205-UP)**

E 290.4' N 150' S 290' N $\frac{1}{2}$ SE $\frac{1}{4}$ **(D-1343-UP)**

The S 290' of the E 1145' of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ except the N 150' of the E 290.4' & except the E 50' for Road **(D-1194-UP)**

Beginning 290' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence W 1145' N 190' E 1145' S 190' to the beginning except the E 50' for Road. **(D-1195-UP)**

Beginning 480' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence W 1145' N 190' E 1145' S to the beginning. 5A M-L **(D-1196-UP)**

Beginning 937' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N 113' W 214.85' S 113' E to the beginning **(D-1379-UP)**

Beginning 860' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N 77' W 285' S 77' E 285' to the beginning **(D-1344-UP)**

The W 200' of a Tract beginning 860' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N 190' W 1145' S 190' E to the beginning except the S 77' of the E 285' **(D-1197-UP)**

Beginning 860' N & 285' W of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence W 660' N 190' E to a point 214.85' W of the E line of the SE $\frac{1}{4}$ S 113' W 70.15' S to the beginning **(D-1345-UP)**

Beginning 1050' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N to the NE corner of the SE $\frac{1}{4}$ W 1145' S to a point W of the beginning E 1145' to the beginning except the S 135' of the N 275.14' of the E 214.85' & except the W 200' **(D-1346-UP)**

The S 135' of the N 275.14' of the E 214.85' of the SE $\frac{1}{4}$ **(D-1380-UP)**

The N 150' of the W 200' of the E 1145' of the SE $\frac{1}{4}$ **(D-1198-UP)**

The W 200' of a Tract beginning 1050' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N to the NE corner of the SE $\frac{1}{4}$; thence W 1145' S to a point 1050' N of S line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ E 1145' to the beginning except the N 150' of the W 200' **(D-1199-UP)**

Beginning 670' N of the SE corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N 190' W 1145' S 190' E to the beginning. **(D-1200-UP)**

S 411.29' N $\frac{1}{2}$ SE $\frac{1}{4}$ except the E 1145' **(D-1201-UP)**

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **square foot** basis.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq., as amended and supplemented, and K.S.A. 12-693.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, May 20, 2003.

CARLOS MAYANS, MAYOR

ATTEST:

PAT GRAVES, CITY CLERK

(SEAL)